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RECEIVED
U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

5 Attorneys for Plaintiff
6 The Ohio Casualty Insurance Company
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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

12 THE OHIO CASUALTY INSURANCE
13 COMPANY, a Ohio corporation,
14 Plaintiff,
15 v.
16 BCI BUILDERS, INC., a California
17 corporation; DENE BUSTICHI, an
individual; and MELODIE M. BUSTICHI,
an individual,
18 Defendants.

Case No.: C 12-6443 RMW

**STIPULATION FOR DISMISSAL,
WITHOUT PREJUDICE, OF ENTIRE
ACTION**

Date: March 21, 2014
Time: 10:30 p.m.
Courtroom: 6, 4th Floor
Judge: Hon. Ronald M. Whyte

21 Plaintiff THE OHIO CASUALTY INSURANCE COMPANY (“Ohio Casualty”) on
22 the one hand, and Defendants BCI BUILDERS, INC., DENE BUSTICHI and MELODIE
23 M. BUSTICHI (collectively “Defendants”) on the other hand, by and through their
24 respective attorneys of record in the above-captioned lawsuit, hereby agree and stipulate as
25 follows:

- 26 1) The entire action be dismissed, without prejudice; and
- 27 2) The dismissal, without prejudice, of the entire action shall not be, or at any
28 later time deemed to be, collateral estoppel, res judicata, or retraxit on any

1 issue, claim, demand, damage, right of action or cause of action of any kind
2 whatsoever Ohio Casualty or Defendants had, has or may have against the
3 other, including but not limited to any issue, claim, demand, damage, right of
4 action or cause of action of any kind whatsoever that was raised or could
5 have been raised in this action.

6 **IT IS SO AGREED AND STIPULATED.**

7 Dated: March 17, 2014 Wolkin • Curran, LLP
8 By: /s/James D. Curran
9 James D. Curran
10 Attorneys for Plaintiff
11 THE OHIO CASUALTY INSURANCE COMPANY

12 Dated: March 17, 2014 Law Offices of Michael G. Ackerman
13 By: (as authorized on March 17, 2014)
14 /s/Michael G. Ackerman
15 Michael G. Ackerman, Esq.
16 Attorneys for Defendants
17 BCI BUILDERS, INC., DENE BUSTICHI and
18 MELODIE M. BUSTICHI

19 **[] ORDER**

20
21 **PURSUANT TO THE ABOVE STIPULATION, THE FOLLOWING IS**
22 **HEREBY ORDERED:**

23 1) The entire action be dismissed, without prejudice; and
24 2) The dismissal, without prejudice, of the entire action shall not be, or at any
25 later time deemed to be, collateral estoppel, res judicata, or retraxit on any
26 issue, claim, demand, damage, right of action or cause of action of any kind
27 whatsoever Ohio Casualty or Defendants had, has or may have against the
28 other, including but not limited to any issue, claim, demand, damage, right of

1 action or cause of action of any kind whatsoever that was raised or could
2 have been raised in this action.

3 **IT IS SO ORDERED.**

4 Dated: March 26, 2014


5 United States District Court
Northern District of California

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